

ORIGINAL

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WILLKIE FARR & GALLAGHER

VIA HAND DELIVERY

February 4, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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Washington, DC 20036-3384

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Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
12th Street Lobby, TW-A325
Washington, DC 20554

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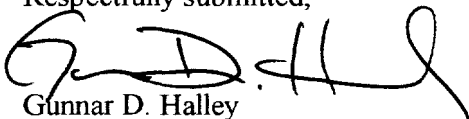
Re: Ex Parte Presentation in CC Docket No. 99-301

Dear Ms. Salas:

To discuss matters concerning the above-referenced proceeding, Terri Natoli, Carolyn Stup, and Heather Buchanan of Teligent, Inc. and myself, on Teligent's behalf, met today with Scott Bergmann, Tom Beers, Ellen Burton, Jim Eisner, Greg Guice, Peyton Wynn, and James Zolnierok of the Industry Analysis Division, Common Carrier Bureau; Ben Freeman of the Auctions Division, Wireless Telecommunications Bureau; Rebecca Dorch and Jerry Stanshine of the Office of Engineering and Technology; Berry Wilson of the Mass Media Bureau; and Doug Webbink of the International Bureau. Specifically, we discussed the methods by which Teligent's customers could be identified in terms of the types of services they receive from Teligent and their geographic locations. We also discussed the desirability of the Commission working with the State PUCs to establish the greatest level of uniformity possible in the definitions and study areas used for reports and to minimize the need for disparate reporting requirements. We provided to Mr. Bergmann copies of three State PUC data requests that were consistent with the substance and organization of data that Teligent already maintains. Two copies of each data request are attached.

In accordance with the Commission's rules, I hereby submit to the Secretary of the Commission two copies of this notice of Teligent's ex parte presentation.

Respectfully submitted,


Gunnar D. Halley

Counsel for TELIGENT, INC.

cc: Scott Bergmann
Jim Eisner
James Zolnierok
Berry Wilson

Tom Beers
Greg Guice
Rebecca Dorch
Doug Webbink

Ellen Burton
Peyton Wynn
Jerry Stanshine

Enclosures

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STATE OF ALABAMA
ALABAMA PUBLIC SERVICE COMMISSION
P.O. BOX 991
MONTGOMERY, ALABAMA 36101-0991

JIM SULLIVAN, PRESIDENT
JAN COOK, ASSOCIATE COMMISSIONER
GEORGE C. WALLACE, JR., ASSOCIATE COMMISSIONER

WALTER L. THOMAS, JR.
SECRETARY

ALL PROVIDERS OF COMPETITIVE
LOCAL EXCHANGE SERVICE IN
ALABAMA

IN RE: Submission of monthly local
competition reports

INFORMAL DOCKET U-3949

ORDER

BY THE COMMISSION:

Pursuant to Order entered in Joint Dockets 24499, 24472, 24030, and 24865 on September 20, 1995 (the Local Competition Order), this Commission took its first steps toward fostering competition in the local telecommunications marketplace in Alabama. A primary emphasis of the Local Competition Order was to streamline the regulatory process in a manner that encouraged entry into the local telecommunications market by competitive providers, but left the Commission with sufficient latitude to properly scrutinize potential providers. The Commission's efforts in that regard became even more concerted with the passage of the Telecommunications Act of 1996.

Since the adoption of the Local Competition Order, the Commission has certificated some seventy-seven (77) providers of competitive local exchange telecommunications service. The Commission now seeks to evaluate the competitive progress which has been achieved by those competitive local exchange carriers (CLECs).

In order to further the above-noted objective, the Commission herein requires that each CLEC certified by the Commission must submit to the Commission by the 15th of each month the local competition report developed by the Commission staff and attached hereto as Appendix A. The monthly reporting requirement herein imposed will commence with the filing of a report for February of 1999. Additional copies of the reporting form should be made so that each CLEC will have at its disposal the requisite form. An originally signed form and 10 copies thereof must be submitted to the Secretary of the

INFORMAL DOCKET U-3949 - #2

Commission by the 15th of each month. Each monthly report should be accompanied by a brief cover letter.

IT IS, THEREFORE, ORDERED BY THE COMMISSION, That all telecommunications carriers certificated by this Commission to provide competitive local exchange telecommunications service shall file by the 15th of each month the local competition report attached hereto as Appendix A.

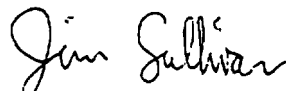
IT IS FURTHER ORDERED BY THE COMMISSION, That the reporting requirement imposed herein shall commence with the filing of a report by the 15th of February, 1999.

IT IS FURTHER ORDERED BY THE COMMISSION, That jurisdiction in this cause is hereby retained for the issuance of any further order or orders as may appear to be just and reasonable in the premises.

IT IS FURTHER ORDERED, That this Order shall be effective as of the date hereof.

DONE at Montgomery, Alabama, this 11th day of January, 1999.

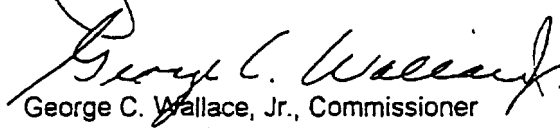
ALABAMA PUBLIC SERVICE COMMISSION



Jim Sullivan, President

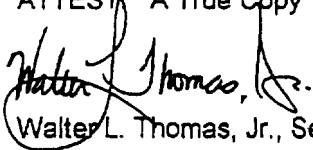


Jan Cook, Commissioner



George C. Wallace, Jr., Commissioner

ATTEST: A True Copy



Walter L. Thomas, Jr., Secretary

APPENDIX "A"

BEFORE THE
ALABAMA PUBLIC SERVICE COMMISSION

REVISED SURVEY OF COMPETITIVE LOCAL EXCHANGE CARRIERS

1. Are you in any manner affiliated with BellSouth Telecommunications, Inc. ("BellSouth")?
2. Please provide a detailed description of your company's provision of local telephone exchange service¹ in Alabama.

- (a) Indicate the number of business and residential customers being provided local telephone exchange service in the current service territory of BellSouth in Alabama and the manner in which they are being provided such service:

Method of Service	Business	Residential
Resale		
Unbundled Network Elements		
Owned facilities		
Combination*		

* Please describe in detail the combinations being used.

¹Pursuant to 47 U.S.C. §153(47), "Telephone Exchange Service" means (A) Service within a telephone exchange, or within a connected system of telephone exchanges within the same exchange area operated to furnish to subscribers intercommunicating service of the character ordinarily furnished by a single exchange, and which is covered by the exchange service charge, or (B) comparable service provided through a system of switches, transmission equipment, or other facilities (or combination thereof) by which a subscriber can originate and terminate a telecommunications service. For purposes of this survey, "Telephone Exchange Service" does not include "Exchange Access" which pursuant to 47 U.S.C. §153(16) means the offering of access to telephone exchange services or facilities for the purpose of the origination or termination of telephone toll service.

(b) Please describe in detail any facilities you currently own or are in the process of purchasing and/or constructing in Alabama.

3. Are you providing interexchange access for which you are collecting access charges?

Yes _____ No _____

If yes, do you have a tariff for these charges on file with the Alabama Public Service Commission (APSC)?

Yes _____ No _____

4. If you have a completed interconnection and/or resale agreement with BellSouth which has been approved by the APSC and are not currently providing local exchange telephone service in Alabama, please provide good faith responses to the following:

(a) Do you intend to provide local telephone exchange service to business and residential customers in Alabama?

Business: Yes _____ No _____

Residential: Yes _____ No _____

(b) If so, when and where do you plan to provide such service?

(c) If so, how will you provide the service:
Predominantly over your own facilities? _____

Predominantly through the purchase of unbundled network elements? _____

Predominantly through resale of the services of other carriers? _____

5. If you have executed an interconnection agreement with BellSouth, does that agreement contain an implementation schedule?
Yes _____ No _____

If yes, have the provisions of that implementation schedule been complied with?
Yes _____ No* _____

*If no, please explain.

6. What, if any, services of BellSouth are you currently reselling?

7. If applicable, what is the wholesale discount rate you are receiving from BellSouth on the resale of BellSouth services?
Discount rate _____

8. Are you providing services to any customers through the resale of contract service arrangements (CSAs)?
Yes _____ No _____

9. If you have attempted to resell contract service arrangements, have you experienced difficulty in doing so?
Yes _____ No _____

If yes, please explain the difficulty you have experienced.

10. Have you purchased any unbundled network elements from BellSouth?
Yes _____ No _____

If yes, please specify the elements purchased and quantities purchased:

Local loops _____
Network interface devices _____
Local and tandem switching capability _____
Interoffice transmission facilities _____
Signaling and call related databases _____
Operations support systems functions _____
Operator services _____
Directory assistance facilities _____
Other elements (specify) _____

11. Do you presently have a collocation arrangement/agreement with BellSouth?
Yes _____ No _____

(a) If yes, has the agreement been implemented?
Yes _____ No _____

(b) If the agreement has been implemented, are unbundled network elements being provisioned pursuant to the agreement?
Yes _____ No _____

12. Have you requested that BellSouth recombine unbundled network elements you have purchased from BellSouth?
Yes _____ No _____

If yes, has BellSouth performed the requested recombination?
Yes _____ No* _____

(a) If yes, in what manner was the recombination accomplished by BellSouth and what, if any, charge was imposed by BellSouth?

(b) If no, please explain why?

13. What BellSouth OSS electronic interfaces are you presently utilizing for:

Preordering _____

Ordering _____

Provisioning _____

Repairs and Maintenance _____

Billing _____

Other _____

OATH

COUNTY OF _____

STATE OF _____

_____ being duly sworn, states that
(Name of Affiant)

he/she files this survey response as _____ and that
(Indicate title or capacity)

in such capacity he/she is qualified and authorized to submit and verify such survey response; that he/she has carefully examined all the statements and matters contained in the survey response submitted, and that all such statements made and matters set forth herein are true and correct to the best of his/her knowledge, information and belief.

(Signature of Affiant)

Subscribed and sworn to before me, a _____ in and for
said County and State above named, this _____ day of _____, 19____.

(Notary Public)

(Seal)

My Commission Expires: _____

DOCKET NO. 5778-U
LOCAL SERVICE INDICATORS REQUESTS

1. **State the number of customers to whom you provide local exchange service in Georgia.**
2. **State the number of access lines included in your provision of local exchange service in Georgia.**
3. **Are you providing local exchange service to residential customers in Georgia?**
4. **Are you providing local exchange service to business customers in Georgia?**

If so, state the number of customer you are serving through:

- a. **Exclusively your own facilities?**
- b. **Any combination of your own facilities and the leasing of BellSouth Telecommunications, Inc.'s ("BellSouth's") facilities (unbundled network elements)?**
- c. **Exclusively through the resale of BellSouth's retail services?**
- d. **Any combination of resale with facilities-based services?**
- e. **Total number of business customer served:**
- f. **Total number of business lines provided:**

- g. Number of business customers provided with pre-paid service (if applicable):**
- 5. List the unbundled network elements you are purchasing from BellSouth and for each one, state the number of units (for example, 1000 units of 2-wire digital loops, 2000 units of RCF interim number portability, etc.).**
- 6. List the BellSouth retail services you are reselling and for each one, state the number of units (for example, 1500 units of R1, 3000 units of specific vertical features, etc.).**

Florida
1999 ALEC Data Request

Florida Statute 364.02(2) defines basic local service as:

“Basic local telecommunications service” means voice-grade, flat rate residential and flat-rate single line business local exchange services which provide dial tone, local usage necessary to place unlimited calls within a local exchange area, dual tone multi-frequency dialing, and access to the following: emergency services such as “911,” all locally available interexchange companies, directory assistance, operator services, relay services and an alphabetical directory listing. For a local exchange company, such terms shall include any extended area service routes, and extended calling service in existence or ordered by the commission on or before July 1, 1995.

1.
 - a. Are you providing service to service to residential customers in Florida that complies with the above definition of **basic local service**?
 - b. To how many residential customers are you providing **basic local service** in Florida?
 - c. What are your current rates for providing residential **basic local service**?
 - d. Are you providing service to business customers in Florida that complies with the above definition of **basic local service**?
 - e. To how many business customers are you providing **basic local service**?
 - f. What are your current rates for providing business **basic local service** in Florida?
2. Are you currently providing other forms of local service (business or residential) in Florida that may not meet Florida’s statutory definition of **basic local service**? (Examples could include: multiline business users; services with toll restrictions or usage; mandatory 900 blocking; limited amount of local calling included in the monthly charge; bundled service offerings; etc.)
(If yes, continue with question #2; if no, skip to question #3)
 - a. Are you currently providing other forms of local service to residential customers in Florida?
 - b. If the response to a. is affirmative, please describe the forms of local service you are providing to residential customers in Florida. (If available, please provide brochures or comparable

materials.)

- c. If the response to a. is affirmative, please indicate your current rates for the services indicated in response to b.
 - d. Are you currently providing other forms of local service to business customers in Florida?
 - e. If the response to d. is affirmative, please describe the forms of local service you are providing to business customers in Florida. (If available, please provide brochures or comparable materials.)
 - f. If the response to d. is affirmative, please indicate your current standard rates for the services indicated in response to e.
- 3.
- a. Please describe the method(s) you are using to provide telephone services (e.g., resale, interconnection, unbundled network elements, facility-based, etc.).
 - b. For each exchange where you are providing any form of residential local telephone service, please identify by exchange (a list of exchanges is attached), the number of residential access lines served. (See example below)
 - c. For each exchange where you are providing any form of business local telephone service, please identify by exchange (a list of exchanges is attached), the number of business access lines served. (See example below)
 - d. For billing and accounting purposes, do you differentiate between residential and business customers?
 - e. Are you currently offering any enhanced services? If yes, what are they?
 - f. Have you experienced any significant barriers in entering Florida's local exchange markets? Please list and describe any obstacles or barriers encountered.

- g. Have you experienced any difficulties involving any agreements you may have with incumbent LEC's? If so, do you expect becoming a full-scale facilities-based provider?
 - h. Do you anticipate that your long-term manner of providing service will differ from your current practice? If so, do you expect becoming a facilities-based provider?
 - i. Have you been assigned your own NXX codes? If yes, how many codes have you been assigned and for each code, as of June 30, 1999, how many numbers have been assigned from the code?
4. If you are not currently providing local telephone service in Florida:
- a. Please explain why you are not providing local telephone service. For example, have you experienced marketing or billing difficulties? Lack of capital? Customers are not willing to try something new? Lack of expertise in telecommunications? Difficulties dealing with the LECs? Insufficient profit margin?
 - b. Do you anticipate providing local telephone service at some future date? If yes, please indicate when (e.g., first quarter 2000)
 - c. Please describe the most important factors that you believe are inhibiting your ability to provide local telephone service, and describe how these factors have adversely affected your entry.
 - d. Are you currently providing any other telecommunications service in Florida (i.e., other than local service)? If yes, please list the services provided.
5. Please list your primary line of business (for example, entertainment, cable television, private line/special access service, interexchange service, local service, cellular service, paging service, electric service, municipality, etc.).
6. At any time during the last 12 months have you provided local telephone services in Florida and then withdrawn the service? If yes, please discuss the reasons for this decision.
7. If you or an affiliate provides cable television in Florida, do you offer any package plans combining cable television and local telephone services? If so, please indicate where such

packages are being offered.

8. If you or an affiliate provides cable television in Florida, do you offer any package plans combining long distance and local telephone services? If so, please describe any such plans and their terms and conditions. Is subscribing to both local telephone and long distance a condition of providing service?
9. If you or a primary affiliate's primary business is unrelated to the provision of telecommunications, please indicate the nature of such primary business (es). Examples of such businesses could include, but are not limited to: pawn shops, title loan companies, alternative automobile financing, internet service providers, or check cashing services.
10.
 - a. Please describe any actions available to the Florida Public Service Commission which you believe should be taken to foster local exchange competitive market entry.
 - b. Please describe any actions which you may believe should be taken by the Florida legislature that would foster local exchange competitive market entry.
11. Please provide any additional comments or information you believe will assist staff in evaluating and reporting on the development of local exchange competition in Florida. In particular, we are seeking comment on obstacles that you believe may be impeding the growth of local competition in the state and any suggestions you may have on how to remove such obstacles.
12. Please provide a copy of your (or your parent company's) most recent annual report to shareholders and Form 10-K.
13.
 - a. Please indicate your gross Florida intrastate operating revenues for the year ending 12/31/98. If available, please separate between residential and business.
 - b. Please indicate your company's 1998 assessable revenues, as reported for Florida revenue assessment fees.